

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1096

Introduced by Assembly Member Nestande

February 22, 2013

An act to amend ~~Section 5205.5~~ *Sections 5155 and 5156* of, and to add *Section 5162* to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1096, as amended, Nestande. Vehicles: ~~high-occupancy vehicle lanes.~~ *specialized license plates: Salton Sea.*

Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOV), which may also be used, until January 1, 2015, by certain eligible low-emission and hybrid vehicles not carrying the requisite number of passengers otherwise required for the use of HOV lanes if the vehicle displays a valid identifier issued by ~~requires~~ the Department of Motor Vehicles to issue specialized license plates for a specialized license plate program sponsored by a state agency that complies with certain requirements. Existing law also requires the department to charge specified fees for certain services related to the issuance of those plates.

This bill would ~~make technical, nonsubstantive changes to these provisions~~ *require the department, in consultation with the Salton Sea Joint Powers Authority, to design and make available for issuance special Salton Sea environmental interest license plates bearing a full-plate graphic design, as specified, upon payment of an additional fee by a person applying for the special plate. The bill would also create the Salton Sea Restoration Account in the Specialized License Plate*

Fund for expenditure, upon appropriation, to provide efforts to restore the Salton Sea.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 5155 of the Vehicle Code is amended to*
2 *read:*

3 5155. The design criteria for a specialized license plate are as
4 follows:

5 (a) Except as provided in ~~Section~~ *Sections 5161 and 5162*, the
6 license plate for a passenger vehicle, commercial vehicle, or trailer
7 shall provide a space not larger than two inches by three inches to
8 the left of the numerical series and a space not larger than
9 five-eighths of an inch in height below the numerical series for a
10 distinctive design, decal, or descriptive message as authorized by
11 this article. The license plates shall be issued in sequential
12 numerical order or, pursuant to Section 5103, in a combination of
13 numbers or letters.

14 (b) Specialized license plates authorized under this article may
15 be issued for use on a motorcycle. That license plate shall contain
16 a five-digit configuration issued in sequential numerical order or,
17 pursuant to Section 5103, in a combination of numbers or letters.
18 There shall be a space to the left of the numerical series for a
19 distinctive design or decal and the characters shall contrast sharply
20 with the uniform background color. A motorcycle plate containing
21 a full plate graphic design is not authorized.

22 (c) Specialized license plates may be issued as environmental
23 license plates, as defined in Section 5103.

24 *SEC. 2. Section 5156 of the Vehicle Code is amended to read:*

25 5156. (a) (1) A state agency may apply to the department to
26 sponsor a specialized license plate program, and the department
27 shall issue specialized license plates for that program, if the agency
28 complies with all of the requirements of this article.

29 (2) The department shall not issue specialized license plates to
30 a state agency for a vehicle that is exempt from the payment of
31 registration fees pursuant to Section 9101 or 9103.

32 (b) Except as provided in subdivision (d), the department shall
33 not establish a specialized license plate program for an agency

1 until the department has received not less than 7,500 applications
2 for that agency's specialized license plates. The agency shall collect
3 and hold applications for the plates. Once the agency has received
4 at least 7,500 applications, it shall submit the applications, along
5 with the necessary fees, to the department. The department shall
6 not issue a specialized license plate until the agency has received
7 and submitted to the department not less than 7,500 applications
8 for that particular specialized license plate within the time period
9 prescribed in this section. Advance payment to the department by
10 the agency representing the department's estimated or actual
11 administrative costs associated with the issuance of a particular
12 specialized license plate shall not constitute compliance with this
13 requirement. The agency shall have 12 months, following the date
14 of approval of the agency's initial application to sponsor a
15 specialized license plate program, to receive the required number
16 of applications. If, after that 12 months, 7,500 applications have
17 not been received, the agency shall immediately do either of the
18 following:

19 (1) Refund to all applicants all fees or deposits that have been
20 collected.

21 (2) Contact the department to indicate the agency's intent to
22 undertake collection of additional applications and fees or deposits
23 for an additional period, not to exceed 12 months, in order to obtain
24 the minimum 7,500 applications. If the agency elects to exercise
25 the option under this subparagraph, it shall contact each applicant
26 who has submitted an application with the appropriate fees or
27 deposits to determine if the applicant wishes a refund of fees or
28 deposits or requests the continuance of the holding of the
29 application and fees or deposits until that time that the agency has
30 received 7,500 applications. The agency shall refund the fees or
31 deposits to an applicant so requesting. The agency shall not collect
32 and hold applications for a period exceeding 24 months following
33 the date of approval of the agency's initial application to sponsor
34 a specialized license plate program.

35 (c) (1) If the number of outstanding and valid specialized license
36 plates in a particular program, except as provided in subdivision
37 (d), provided for in this article is less than 7,500, the department
38 shall notify the sponsoring agency of that fact and shall inform the
39 agency that if that number is less than 7,500 one year from the

1 date of that notification, the department will no longer issue or
2 replace those specialized license plates.

3 (2) Those particular specialized license plates that were issued
4 prior to the discontinuation provided by paragraph (1) may continue
5 to be used and attached to the vehicle for which they were issued
6 and may be renewed, retained, or transferred pursuant to this code.

7 (d) (1) The Department of Veterans Affairs may sponsor a Gold
8 Star Family specialized license plate program and the department
9 may establish this specialized license plate program in the absence
10 of 7,500 paid applications as provided in subdivision (d) of Section
11 5157.

12 (2) The Department of Veterans Affairs shall, upon receiving
13 proof of eligibility from an applicant, authorize the department to
14 issue Gold Star Family specialized license plates for a vehicle
15 owned by an eligible family member of a member of the Armed
16 Forces of the United States who was killed in the line of duty while
17 on active duty during wartime service, or during an international
18 terrorist attack that has been recognized by the United States
19 Secretary of Defense as an attack against the United States or a
20 foreign nation friendly to the United States, or during military
21 operations while serving outside the United States, including
22 commonwealths, territories, and possessions of the United States,
23 or as part of a peacekeeping force, which includes personnel
24 assigned to a force engaged in a peacekeeping operation authorized
25 by the United Nations Security Council. An eligible family member
26 is defined as all of the following:

27 (A) A person who is otherwise eligible under this article to
28 register a motor vehicle.

29 (B) A person who shows proof from the United States
30 Department of Veterans Affairs or the Department of Defense that
31 the member who was in the Armed Forces of the United States
32 was killed in the line of duty while on active duty in the military.

33 (C) A person who bears, and shows proof satisfactory to the
34 Department of Veterans Affairs of, one of the following
35 relationships to the member of the Armed Forces killed in the line
36 of duty while serving on active duty:

- 37 (i) Widow.
- 38 (ii) Widower.
- 39 (iii) Biological parent.
- 40 (iv) Adoptive parent.

- 1 (v) Stepparent.
- 2 (vi) Foster parent in loco parentis.
- 3 (vii) Biological child.
- 4 (viii) Adoptive child.
- 5 (ix) Stepchild.
- 6 (x) Sibling.
- 7 (xi) Half-sibling.
- 8 (xii) Grandparent.
- 9 (xiii) Grandchild.

10 (3) Upon the death of a person issued a Gold Star Family
11 specialized license plate, the license plate shall be transferred to
12 the surviving spouse, if he or she requests, or shall be returned to
13 the department within 60 days after the death of the plateholder
14 or upon the expiration of the vehicle registration, whichever occurs
15 first.

16 (e) For purposes of this section, “state agency” includes the
17 Salton Sea Joint Powers Authority.

18 SEC. 3. Section 5162 is added to the Vehicle Code, to read:

19 5162. (a) Notwithstanding Sections 5154 and 5155, the
20 department, in consultation with the Salton Sea Joint Powers
21 Authority, shall design and make available for issuance pursuant
22 to this article special Salton Sea environmental design license
23 plates as described in this section. The special Salton Sea
24 environmental design license plates shall bear a full-plate graphic
25 design that the department determines, in consultation with the
26 Department of the California Highway Patrol, does not obscure
27 the readability of the license plate depicting an image to be
28 designated by the Salton Sea Joint Powers Authority. Any person
29 described in Section 5101 may, upon payment of the additional
30 fees set forth in subdivision (b), apply for and be issued a set of
31 special Salton Sea environmental design license plates. The special
32 Salton Sea environmental design license plates may be issued as
33 environmental license plates, as defined in Section 5103.

34 (b) In addition to the regular fees for an original registration
35 or renewal of registration, the following additional fees shall be
36 paid for the issuance, renewal, or transfer of the special Salton
37 Sea environmental design license plates authorized pursuant to
38 this section:

39 (1) For the original issuance of the plates, fifty dollars (\$50).

1 (2) For a renewal of registration with the plates, forty dollars
2 (\$40).

3 (3) For transfer of the plates to another vehicle, fifteen dollars
4 (\$15).

5 (4) For each substitute replacement plate, thirty-five dollars
6 (\$35).

7 (5) In addition, for the issuance of environmental license plates,
8 as defined in Section 5103, with a full-plate graphic design
9 described in subdivision (a), the additional fees prescribed in
10 Sections 5106 and 5108. The additional fees prescribed in Sections
11 5106 and 5108 shall be deposited in the California Environmental
12 License Plate Fund.

13 (c) Except as provided in paragraph (5) of subdivision (b), and
14 after deducting its administrative costs under this section, the
15 department shall deposit the additional revenue derived from the
16 issuance, renewal, transfer, and substitution of special
17 environmental design license plates in the Salton Sea Restoration
18 Account, which is hereby created in the Specialized License Plate
19 Fund. The funds in the account shall be used by the Salton Sea
20 Joint Powers Authority, upon appropriation by the Legislature,
21 for providing restoration efforts to the Salton Sea.

22 SECTION 1. ~~Section 5205.5 of the Vehicle Code, as added by~~
23 ~~Section 1 of Chapter 37 of the Statutes of 2010, is amended to~~
24 ~~read:~~

25 ~~5205.5. (a) For the purposes of implementing Section 21655.9,~~
26 ~~the department shall make available for issuance, for a fee~~
27 ~~determined by the department to be sufficient to reimburse the~~
28 ~~department for the actual costs incurred pursuant to this section,~~
29 ~~distinctive decals, labels, and other identifiers that clearly~~
30 ~~distinguish the following vehicles from other vehicles:~~

31 ~~(1) A vehicle that meets California's super ultra-low emission~~
32 ~~vehicle (SULEV) standard for exhaust emissions and the federal~~
33 ~~inherently low-emission vehicle (ILEV) evaporative emission~~
34 ~~standard, as defined in Part 88 (commencing with Section~~
35 ~~88.101-94) of Title 40 of the Code of Federal Regulations.~~

36 ~~(2) A vehicle that was produced during the 2004 model-year or~~
37 ~~earlier and meets California's ultra-low emission vehicle (ULEV)~~
38 ~~standard for exhaust emissions and the federal ILEV standard.~~

39 ~~(b) The department shall include a summary of the provisions~~
40 ~~of this section on each motor vehicle registration renewal notice,~~

1 or on a separate insert, if space is available and the summary can
2 be included without incurring additional printing or postage costs.

3 ~~(e) The Department of Transportation shall remove individual~~
4 ~~HOV lanes, or portions of those lanes, during periods of peak~~
5 ~~congestion from the access provisions provided in subdivision (a),~~
6 ~~following a finding by the Department of Transportation as follows:~~

7 ~~(1) The lane, or portion thereof, exceeds a level of service C,~~
8 ~~as discussed in subdivision (b) of Section 65089 of the Government~~
9 ~~Code.~~

10 ~~(2) The operation or projected operation of the vehicles~~
11 ~~described in subdivision (a) in these lanes, or portions thereof, will~~
12 ~~significantly increase congestion.~~

13 ~~The finding also shall demonstrate the infeasibility of alleviating~~
14 ~~the congestion by other means, including, but not limited to,~~
15 ~~reducing the use of the lane by noneligible vehicles, or further~~
16 ~~increasing vehicle occupancy.~~

17 ~~(d) The State Air Resources Board shall publish and maintain~~
18 ~~a listing of all vehicles eligible for participation in the programs~~
19 ~~described in this section. The board shall provide that listing to~~
20 ~~the department.~~

21 ~~(e) For purposes of subdivision (a), the Department of the~~
22 ~~California Highway Patrol and the department, in consultation~~
23 ~~with the Department of Transportation, shall design and specify~~
24 ~~the placement of the decal, label, or other identifier on the vehicle.~~
25 ~~The decal, label, or other identifier issued for a vehicle shall display~~
26 ~~a unique number, and that number shall be printed on, or affixed~~
27 ~~to, the vehicle registration.~~

28 ~~(f) If the Metropolitan Transportation Commission, serving as~~
29 ~~the Bay Area Toll Authority, grants toll-free and reduced-rate~~
30 ~~passage on toll bridges under its jurisdiction to any vehicle pursuant~~
31 ~~to Section 30102.5 of the Streets and Highways Code, it shall also~~
32 ~~grant the same toll-free and reduced-rate passage to a vehicle~~
33 ~~displaying an identifier issued by the department pursuant to~~
34 ~~paragraph (1) or (2) of subdivision (a).~~

35 ~~(g) If the Director of Transportation determines that federal law~~
36 ~~does not authorize the state to allow vehicles that are identified by~~
37 ~~distinctive decals, labels, or other identifiers on vehicles described~~
38 ~~in subdivision (a) to use highway lanes or highway access ramps~~
39 ~~for high-occupancy vehicles regardless of vehicle occupancy, the~~

1 ~~Director of Transportation shall submit a notice of that~~
 2 ~~determination to the Secretary of State.~~

3 ~~(h) This section shall become operative on January 1, 2011.~~

4 ~~(i) This section shall remain in effect only until January 1, 2015,~~
 5 ~~or only until the date the Secretary of State receives the notice~~
 6 ~~described in subdivision (g), whichever occurs first, and as of that~~
 7 ~~date is repealed.~~

8 ~~SEC. 2. Section 5205.5 of the Vehicle Code, as amended by~~
 9 ~~Section 2 of Chapter 674 of the Statutes of 2012, is amended to~~
 10 ~~read:~~

11 ~~5205.5. (a) For purposes of implementing Section 21655.9,~~
 12 ~~the department shall make available for issuance, for a fee~~
 13 ~~determined by the department to be sufficient to reimburse the~~
 14 ~~department for the actual costs incurred pursuant to this section,~~
 15 ~~distinctive decals, labels, and other identifiers that clearly~~
 16 ~~distinguish the following vehicles from other vehicles:~~

17 ~~(1) A vehicle that meets California's super ultra-low emission~~
 18 ~~vehicle (SULEV) standard for exhaust emissions and the federal~~
 19 ~~inherently low-emission vehicle (ILEV) evaporative emission~~
 20 ~~standard, as defined in Part 88 (commencing with Section~~
 21 ~~88.101-94) of Title 40 of the Code of Federal Regulations.~~

22 ~~(2) A vehicle that was produced during the 2004 model-year or~~
 23 ~~earlier and meets California ultra-low emission vehicle (ULEV)~~
 24 ~~standard for exhaust emissions and the federal ILEV standard.~~

25 ~~(3) A hybrid vehicle or an alternative fuel vehicle that meets~~
 26 ~~California's advanced technology partial zero-emission vehicle~~
 27 ~~(AT PZEV) standard for criteria pollutant emissions and has a 45~~
 28 ~~miles per gallon or greater fuel economy highway rating.~~

29 ~~(4) A hybrid vehicle that was produced during the 2004~~
 30 ~~model-year or earlier and has a 45 miles per gallon or greater fuel~~
 31 ~~economy highway rating, and meets California's ULEV, SULEV,~~
 32 ~~or partial zero-emission vehicle (PZEV) standards.~~

33 ~~(5) A vehicle that meets California's enhanced advanced~~
 34 ~~technology partial zero-emission vehicle (enhanced AT PZEV)~~
 35 ~~standard.~~

36 ~~(b) Neither an owner of a hybrid vehicle that meets the AT~~
 37 ~~PZEV standard, with the exception of a vehicle that meets the~~
 38 ~~federal ILEV standard, nor an owner of a hybrid vehicle described~~
 39 ~~in paragraph (4) of subdivision (a), is entitled to a decal, label, or~~
 40 ~~other identifier pursuant to this section unless the federal~~

1 ~~government acts to approve the use of high-occupancy vehicle~~
2 ~~(HOV) lanes by vehicles of the types identified in paragraph (3)~~
3 ~~or (4) of subdivision (a), regardless of the number of occupants.~~

4 ~~(e) The department shall include a summary of the provisions~~
5 ~~of this section on each motor vehicle registration renewal notice,~~
6 ~~or on a separate insert, if space is available and the summary can~~
7 ~~be included without incurring additional printing or postage costs.~~

8 ~~(d) The Department of Transportation shall remove individual~~
9 ~~HOV lanes, or portions of those lanes, during periods of peak~~
10 ~~congestion from the access provisions provided in subdivision (a),~~
11 ~~following a finding by the Department of Transportation as follows:~~

12 ~~(1) The lane, or portion thereof, exceeds a level of service C,~~
13 ~~as discussed in subdivision (b) of Section 65089 of the Government~~
14 ~~Code.~~

15 ~~(2) The operation or projected operation of the vehicles~~
16 ~~described in subdivision (a) in these lanes, or portions thereof, will~~
17 ~~significantly increase congestion.~~

18 ~~(e) The State Air Resources Board shall publish and maintain~~
19 ~~a listing of all vehicles eligible for participation in the programs~~
20 ~~described in this section. The board shall provide that listing to~~
21 ~~the department.~~

22 ~~(f) (1) For purposes of subdivision (a), the Department of the~~
23 ~~California Highway Patrol and the department, in consultation~~
24 ~~with the Department of Transportation, shall design and specify~~
25 ~~the placement of the decal, label, or other identifier on the vehicle.~~
26 ~~The decal, label, or other identifier issued for a vehicle shall display~~
27 ~~a unique number, which number shall be printed on, or affixed to,~~
28 ~~the vehicle registration.~~

29 ~~(2) Decals, labels, or other identifiers designed pursuant to this~~
30 ~~subdivision for a vehicle described in paragraph (5) of subdivision~~
31 ~~(a) shall be distinguishable from the decals, labels, or other~~
32 ~~identifiers that are designed for vehicles described in paragraphs~~
33 ~~(1), (2), (3), and (4) of subdivision (a).~~

34 ~~(g) (1) (A) Except as provided in subparagraph (B), for~~
35 ~~purposes of subdivision (a), the department shall issue no more~~
36 ~~than 85,000 distinctive decals, labels, or other identifiers that~~
37 ~~clearly distinguish the vehicles specified in paragraphs (3) and (4)~~
38 ~~of subdivision (a).~~

39 ~~(B) The department may issue a decal, label, or other identifier~~
40 ~~for a vehicle that satisfies all of the following conditions:~~

1 (i) ~~The vehicle is of a type identified in paragraph (3) or (4) of~~
2 ~~subdivision (a):~~

3 (ii) ~~The owner of the vehicle is the owner of a vehicle for which~~
4 ~~a decal, label, or identifier described in subparagraph (A) was~~
5 ~~previously issued and that vehicle for which the decal, label, or~~
6 ~~identifier was previously issued is determined by the department,~~
7 ~~on the basis of satisfactory proof submitted by the owner to the~~
8 ~~department, to be a nonrepairable vehicle or a total loss salvage~~
9 ~~vehicle.~~

10 (iii) ~~The owner of the vehicle applied for a decal, label, or other~~
11 ~~identifier pursuant to this subparagraph on or before March 31,~~
12 ~~2009, or within six months of the date on which the vehicle for~~
13 ~~which a decal, label, or identifier was previously issued is declared~~
14 ~~to be a nonrepairable vehicle or a total loss salvage vehicle,~~
15 ~~whichever date is later.~~

16 (2) ~~The department shall notify the Department of Transportation~~
17 ~~immediately after the date on which the department has issued~~
18 ~~50,000 decals, labels, and other identifiers under this section for~~
19 ~~the vehicles described in paragraphs (3) and (4) of subdivision (a):~~

20 (3) ~~The Department of Transportation shall determine whether~~
21 ~~significant HOV lane breakdown has occurred throughout the state,~~
22 ~~in accordance with the following timeline:~~

23 (A) ~~For lanes that are nearing capacity, the Department of~~
24 ~~Transportation shall make the determination not later than 90 days~~
25 ~~after the date provided by the department under paragraph (2):~~

26 (B) ~~For lanes that are not nearing capacity, the Department of~~
27 ~~Transportation shall make the determination not later than 180~~
28 ~~days after the date provided by the department under paragraph~~
29 ~~(2):~~

30 (4) ~~In making the determination that significant HOV lane~~
31 ~~breakdown has occurred, the Department of Transportation shall~~
32 ~~consider the following factors in the HOV lane:~~

33 (A) ~~Reduction in level of service.~~

34 (B) ~~Sustained stop-and-go conditions.~~

35 (C) ~~Slower than average speed than the adjacent mixed-flow~~
36 ~~lanes.~~

37 (D) ~~Consistent increase in travel time.~~

38 (5) ~~After making the determinations pursuant to subparagraphs~~
39 ~~(A) and (B) of paragraph (3), if the Department of Transportation~~
40 ~~determines that significant HOV lane breakdown has occurred~~

1 throughout the state, the Department of Transportation shall
2 immediately notify the department of that determination, and the
3 department, on the date of receiving that notification, shall
4 discontinue issuing the decals, labels, or other identifiers for the
5 vehicles described in paragraphs (3) and (4) of subdivision (a).

6 (h) ~~(1) Except as provided in paragraph (2), for purposes of~~
7 ~~paragraph (5) of subdivision (a), the department shall issue no~~
8 ~~more than 40,000 distinctive decals, labels, or other identifiers that~~
9 ~~clearly distinguish a vehicle specified in paragraph (5) of~~
10 ~~subdivision (a).~~

11 (2) The department may issue a decal, label, or other identifier
12 for a vehicle that satisfies all of the following conditions:

13 (A) The vehicle is of a type identified in paragraph (5) of
14 subdivision (a):

15 (B) The owner of the vehicle is the owner of a vehicle for which
16 a decal, label, or other identifier described in paragraph (1) was
17 previously issued and that vehicle for which the decal, label, or
18 other identifier was previously issued is determined by the
19 department, on the basis of satisfactory proof submitted by the
20 owner to the department, to be a nonrepairable vehicle or a total
21 loss salvage vehicle.

22 (C) The owner of the vehicle applied for a decal, label, or other
23 identifier pursuant to this paragraph within six months of the date
24 on which the vehicle for which a decal, label, or other identifier
25 was previously issued is declared to be a nonrepairable vehicle or
26 a total loss salvage vehicle.

27 (i) If the Metropolitan Transportation Commission, serving as
28 the Bay Area Toll Authority, grants toll-free and reduced-rate
29 passage on toll bridges under its jurisdiction to a vehicle pursuant
30 to Section 30102.5 of the Streets and Highways Code, it shall also
31 grant the same toll-free and reduced-rate passage to a vehicle
32 displaying an identifier issued by the department pursuant to
33 paragraph (1) or (2) of subdivision (a) and to a vehicle displaying
34 a valid identifier issued by the department pursuant to paragraph
35 (3) or (4) of subdivision (a) if the vehicle is registered to an address
36 outside of the region identified in Section 66502 of the Government
37 Code.

38 (j) An owner of a vehicle specified in paragraph (3) or (4) of
39 subdivision (a) whose vehicle is registered to an address in the
40 region identified in Section 66502 of the Government Code and

1 who seeks a vehicle identifier under subdivision (a) in order to
2 have access to an HOV lane within the jurisdiction of the Bay Area
3 Toll Authority shall do both of the following:

4 (1) Obtain and maintain an active account to operate within the
5 automatic vehicle identification system described in Section 27565
6 of the Streets and Highways Code and shall submit to the
7 department a form, approved by the department and issued by the
8 Bay Area Toll Authority, that contains the vehicle owner's name,
9 the license plate number and vehicle identification number of the
10 vehicle, the vehicle make and year model, and the automatic
11 vehicle identification system account number, as a condition to
12 obtaining a vehicle identifier pursuant to subdivision (a) that allows
13 for the use of that vehicle in HOV lanes regardless of the number
14 of occupants.

15 (2) Be eligible for toll-free or reduced-rate passage on toll
16 bridges within the jurisdiction of the Bay Area Toll Authority only
17 if, at time of passage, the vehicle meets the passenger occupancy
18 rate requirement established for that toll-free or reduced-rate
19 passage.

20 (k) (1) Notwithstanding Section 21655.9, and except as
21 provided in paragraph (2), a vehicle described in subdivision (a)
22 that displays a decal, label, or identifier issued pursuant to this
23 section shall be exempt from toll charges imposed on
24 single-occupant vehicles in high-occupancy toll lanes as described
25 in Section 149.7 of the Streets and Highways Code unless
26 prohibited by federal law.

27 (2) (A) Paragraph (1) does not apply to the imposition of a toll
28 imposed for passage on a toll road or toll highway, that is not a
29 high-occupancy toll lane as described in Section 149.7 of the
30 Streets and Highways Code.

31 (B) On or before March 1, 2014, paragraph (1) does not apply
32 to the imposition of a toll imposed for passage in lanes designated
33 for tolls pursuant to the federally supported value pricing and
34 transit development demonstration program operated pursuant to
35 Section 149.9 of the Streets and Highways Code for State Highway
36 Route 10 or 110.

37 (C) Paragraph (1) does not apply to the imposition of a toll
38 charged for crossing a state-owned bridge.

39 (l) If the Director of Transportation determines that federal law
40 does not authorize the state to allow vehicles that are identified by

1 distinctive decals, labels, or other identifiers on vehicles described
2 in subdivision (a) to use highway lanes or highway access ramps
3 for high-occupancy vehicles regardless of vehicle occupancy, the
4 Director of Transportation shall submit a notice of that
5 determination to the Secretary of State.

6 (m) (1) This section shall remain in effect only until January
7 1, 2015, or until the date the Secretary of State receives the notice
8 described in subdivision (l), whichever occurs first, and as of that
9 date is repealed.

10 (2) However, with respect to a vehicle described in paragraph
11 (3) or (4) of subdivision (a), this section shall be operative only
12 until July 1, 2011, or only until the date the Secretary of State
13 receives the notice described in subdivision (l), whichever occurs
14 first.

15 (3) With respect to a vehicle described in paragraph (5) of
16 subdivision (a), this section shall become operative on January 1,
17 2012, and shall be operative only until January 1, 2015, or until
18 the date the Secretary of State receives the notice described in
19 subdivision (l), whichever occurs first.